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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,592	01/28/2004	Art Charen	CHAREN-PA-1	5212

7590 08/05/2005
Royal W. Craig
Law Offices of Royal W. Craig
Suite 153
10 N. Calvert Street
Baltimore, MD 21202

EXAMINER

BLOUNT, ERIC

ART UNIT	PAPER NUMBER
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2636

DATE MAILED: 08/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/767,592

Applicant(s)

CHAREN ET AL.

Examiner

Eric M. Blount

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 04292004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Mee [Pub No. U.S. 2004/0015379 A1].

As for **claim 1**, Mee discloses a method for alerting security personnel and bystanders that a person is missing (paragraph 2). The method comprises the steps of photographing one or more images of a person and recording the images electronically (paragraph 35). Information is collected and recorded for identifying a person and a guardian or responsible person (paragraph 60). The identifying information and recorded images are transferred to a portable storage medium (paragraph 39). Identifying information and recorded images are transferred to a system server on demand. The recorded images and identifying information are then processed and stored in a data file and displayed on a plurality of monitors at multiple locations (paragraphs 137, 139, 140, and 169-171).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mee.

Regarding **claim 6**, Mee discloses a lost person notification system for alerting security personnel and bystanders that a person is missing. The system comprises cameras for photographing and recording one or more images of a person (305), personal identification entering means (303), portable storage medium (1302), data handler software (paragraphs 71 and 84), a system server (203), personal computers (204, 206), display monitors (paragraph 33) and a network protocol (paragraphs 38-43). Mee does not disclose the use of personal identification forms, however, it would have been obvious to one of ordinary skill that personal information could have been entered directly into the computer. Mee does not specifically disclose data compression modules and notification software. However, it is obvious that these components are included in the system. Mee teaches that image files and personal information are collected and distributed for notification, to a plurality of locations using network protocols. Notification means are provided in the form of displays and printers. These types of hardware would obviously have the proper software to function correctly. Given the state of the art at the time of the invention by the applicant, one of ordinary

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skill in the art would have readily included data compression modules to reduce the size of the files transferred over the network and necessary software for providing a notification.

As for **claim 7**, disclosed are a data collection module (Figure 9), a database (607), and a data transfer module (301).

5. Claims 2, 3, 5, 8-10 and 13-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mee as applied to the claims above, in view of Meltzer [Pub No. US 2004/0243542 A1].

Regarding **claim 2**, Mee does not disclose obtaining a fingerprint as identifying information for an individual. In an analogous art, Meltzer discloses a method for alerting security personnel and bystanders that a person is missing that comprises the step of obtaining a fingerprint of a person (Figure 5). Fingerprints are converted into a digital record and transferred to portable storage medium (paragraph 52). Figure 5 shows that fingerprint images can be generated in print format.

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to modify the information gathering step of Mee to include the fingerprint obtaining method taught by Meltzer because the modification would result in a system that would provide a more accurate identification means for a person.

As for **claim 3**, Meltzer discloses the step of printing a label (paragraph 67). Mee also discloses a step of printing a label (paragraph 116).

Regarding **claim 5**, Mee discloses a step of erasing the data from the portable storage medium (paragraph 39). Mee discloses that outdated information can be updated. This suggests that information can be erased.

As for **claim 8**, Mee does not specifically show data compression software or fingerprint information. Meltzer discloses that fingerprint identification information maybe be obtained. Digital photographs are automatically resized to an appropriate size (paragraph 50). This automatic resizing is viewed as data compression when larger files are resized for viewing in a smaller window. Further, the compressing of the photographs and fingerprint information depends on the size of the viewing area specified by software. One of ordinary skill in the art would have recognized that software could be modified in order to provide a larger record for a facial photograph. This modification would have been advantageous because it would provide an easily discernable image of the missing person's face, the most important information when searching for the missing person.

As for **claim 9**, Meltzer discloses a user notification system wherein a user sends a signal to the notification means, information is processed, and a notification is output (paragraph 66). It is obvious that the notification means includes a signal-monitoring module for recognizing the request by the user.

As for **claim 10**, Meltzer discloses that a fingerprint may be entered as identification means for an individual. It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant that a fingerprint could have

been obtained using several different methods. The use of a fingerprint sensor is viewed as a matter of design choice.

Regarding **claims 13 and 14**, Mee teaches that the portable storage medium may be a smart card and that an associated reader may be provided (paragraphs 134 and 140).

As for **claim 15**, Meltzer shows in Figure 1 that the portable storage medium may be a flash memory.

As for **claim 16**, Meltzer discloses the step of printing a label (paragraph 67). Mee also discloses a step of printing a label (paragraph 116).

As for **claims 17 and 18**, Mee discloses the use of network protocols and a WAP device (paragraphs 38-43).

6. Claims 4 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mee in view of Meltzer [Pub No. US 2004/0243542 A1], as applied to the claims above, and further in view of Haner [U.S. Patent No. 6,396,403].

Regarding **claims 4 and 11-12**, neither Mee nor Meltzer disclose the use of a public address system and power horn. In an analogous art, Haner discloses that it was well known in the art at the time of the invention by the applicant to broadcast verbal messages via a public address system in large areas such a shopping malls to inform listeners of a lost person (column 1, lines 19-31). It would have been obvious that a public address system may have an amplifier and any type of audible alarm such as a power horn. Further, it would have been obvious to one of ordinary skill in the art at the

time of the invention by the applicant to modify the invention of Mee (shopping mall example) and Meltzer to include an audible alert as taught by Haner because the modification would result in a system that would further aid in locating a missing person by making security personnel and bystanders aware of a missing person alert.

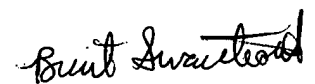
Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. All cited art disclose lost person notification systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric M. Blount whose telephone number is (571) 272-2973. The examiner can normally be reached on 8:00 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Eric M. Blount

BRENT A. SWARTHOUT
PRIMARY EXAMINER